IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

FIRST APPEAL NO.782 OF 1993.

The State of Maharashtra : Appellants.

versus

Appu Bharma Amrelkar : Respondent.

Mr.B.R.Patil, Acting Government Pleader, for the State/Respondent.

None for the respondent.

CORAM : D.G.DESHPANDE,J.

DATED : 26th APRIL 2005.

ORAL ORDER

1. Heard the learned AGP for the State. Nobody is present for the respondent. The state has filed this appeal challenging the order of the reference Court enhancing compensation from Rs.20,927/- to Rs.56400/- in respect of 1 Hector 41 R of the acquired land of the claimant under

the Land Acquisition Act. The notification under Section 4 was dated 13.7.1978. The claimant relied some sale instances. But the reference Court relied upon only one sale instance which was of the same village and where price for similarly situated land was fixed at Rs.15,384/- per acre. The court took Rs.16000/- as round figure for enhancement of compensation for the acquired land. The sale instance was of the relevant period and, therefore, it was comparable sale instance. The other sale instances were rightly rejected by the reference Court. The judgment is, therefore, well reasoned judgment and does not call for interference. There is no substance in this appeal. It is dismissed with civil application.

[D.G.DESHPANDE]

26/04/2005 JUDGE.